

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-3 are currently pending. Claims 1 and 3, which are independent, are hereby amended. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §102(e)**

Claims 1-3 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Publication No. 2001/0043795 to Wood et al. (hereinafter, merely "Wood").

Claim 1 recites, *inter alia*:

"...feedback means for feeding back said degree of exposure of the content,

wherein an audience rating and an advertisement effect are calculated as a function of the feedback data. ." (emphasis added)

As understood by Applicant, Wood relates to a video data recorder for recording predefined format shows having integrated channel guides allowing a user to control recording and storage of television signals. The user may specify criteria for recording of shows from an input source where shows are selected based on the criteria and recorded for later playback. The shows to be recorded may have a predefined format which may be used to ease playback of recorded programming by allowing the user to locate and playback sections of programming.

Applicant submits that Wood fails to teach or suggest the above-identified features of claim 1. Specifically, Applicant submits that there is no teaching or suggestion of feedback means for feeding back said degree of exposure of the content, wherein an audience rating and an advertisement effect are calculated as a function of the feedback data, as recited in claim 1.

Therefore, Applicant submits that independent claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claim 3 is also believed to be patentable.

### **III. DEPENDENT CLAIMS**

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, providing the basis for a contrary view.

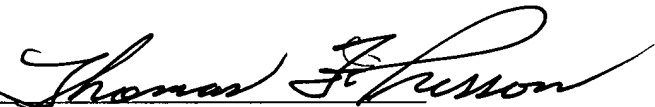
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By

  
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800